

ASSEMBLY BILL

No. 2198

Introduced by Assembly Member Nielsen

February 23, 2012

An act to amend Sections 972.1 and 974 of the Military and Veterans Code, relating to veterans.

LEGISLATIVE COUNSEL'S DIGEST

AB 2198, as introduced, Nielsen. Department of Veterans Affairs: reporting requirements.

Existing law requires the Department of Veterans Affairs to disburse funds, appropriated to the department for the purpose of supporting county veterans service officers pursuant to the annual Budget Act, on a pro rata basis, to counties that comply with certain conditions. Existing law requires the Department of Veterans Affairs to annually determine the amount of new or increased monetary benefits paid to eligible veterans by the federal government attributable to the assistance of county veterans service officers, and requires the department to prepare and transmit its determination for the preceding fiscal year to the Department of Finance and the Legislature on or before January 1 of each year.

This bill would extend the January 1 date specified above to March 1.

Existing law requires the Department of Veterans Affairs to annually prepare a report of the activities of county veteran service officers, as specified, and may require each county veterans service officer to submit information required to prepare the report.

This bill would expand the reporting requirements of the Department of Veterans Affairs to include the number of veterans and their

dependents who came in contact with a county veterans service officer, for whom federal or state claims were filed, and who received services from the federal government, as provided, and the number of homeless veterans and their dependents who were assisted in obtaining federal benefits.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 972.1 of the Military and Veterans Code,
2 as amended by Section 1 of Chapter 183 of the Statutes of 2009,
3 is amended to read:

4 972.1. (a) The sum of five hundred thousand dollars (\$500,000)
5 is hereby appropriated from the General Fund to the Department
6 of Veterans Affairs for allocation, during the 1989–90 fiscal year,
7 for purposes of funding the activities of county veteran service
8 officers pursuant to this section. Funds for allocation in future
9 years shall be as provided in the annual Budget Act.

10 (b) Funds shall be disbursed each fiscal year on a pro rata basis
11 to counties that have established and maintain a county veteran
12 service officer in accordance with the staffing level and workload
13 of each county veteran service officer under a formula based upon
14 performance that shall be developed by the Department of Veterans
15 Affairs for these purposes.

16 (c) The department shall annually determine the amount of new
17 or increased monetary benefits paid to eligible veterans by the
18 federal government attributable to the assistance of county veteran
19 service officers. The department shall, on or before ~~January 1~~
20 ~~March 1~~ of each year, prepare and transmit its determination for
21 the preceding fiscal year to the Department of Finance and the
22 Legislature. The Department of Finance shall review the
23 department's determination in time to use the information in the
24 annual Budget Act for the budget of the department for the next
25 fiscal year.

26 (d) (1) The Legislature finds and declares that 50 percent of
27 the amount annually budgeted for county veteran service officers
28 is approximately eleven million dollars (\$11,000,000). The
29 Legislature further finds and declares that it is an efficient and
30 reasonable use of state funds to increase the annual budget for

1 county veteran service officers in an amount not to exceed eleven
2 million dollars (\$11,000,000) if it is justified by the monetary
3 benefits to the state's veterans attributable to the effort of these
4 officers.

5 (2) It is the intent of the Legislature, after reviewing the
6 department's determination in subdivision (c), to consider an
7 increase in the annual budget for county veteran service officers
8 in an amount not to exceed five million dollars (\$5,000,000), if
9 the monetary benefits to the state's veterans attributable to the
10 assistance of county veteran service officers justify that increase
11 in the budget.

12 (e) This section shall remain in effect only until January 1, 2016,
13 and as of that date is repealed.

14 SEC. 2. Section 972.1 of the Military and Veterans Code, as
15 amended by Section 2 of Chapter 183 of the Statutes of 2009, is
16 amended to read:

17 972.1. (a) The sum of five hundred thousand dollars (\$500,000)
18 is hereby appropriated from the General Fund to the Department
19 of Veterans Affairs for allocation, during the 1989–90 fiscal year,
20 for purposes of funding the activities of county veteran service
21 officers pursuant to this section. Funds for allocation in future
22 years shall be as provided in the annual Budget Act.

23 (b) Funds shall be disbursed each fiscal year on a pro rata basis
24 to counties that have established and maintain a county veteran
25 service officer in accordance with the staffing level and workload
26 of each county veteran service officer under a formula based upon
27 performance that shall be developed by the Department of Veterans
28 Affairs for these purposes, and that shall allocate county funds in
29 any fiscal year for county veteran service officers in an amount
30 not less than the amount allocated in the 1988–89 fiscal year.

31 (c) The department shall annually determine the amount of new
32 or increased monetary benefits paid to eligible veterans by the
33 federal government attributable to the assistance of county veteran
34 service officers. The department shall, on or before ~~January 1~~
35 *March 1* of each year, prepare and transmit its determination for
36 the preceding fiscal year to the Department of Finance and the
37 Legislature. The Department of Finance shall review the
38 department's determination in time to use the information in the
39 annual Budget Act for the budget of the department for the next
40 fiscal year.

(d) (1) The Legislature finds and declares that 50 percent of the amount annually budgeted for county veteran service officers is approximately eleven million dollars (\$11,000,000). The Legislature further finds and declares that it is an efficient and reasonable use of state funds to increase the annual budget for county veteran service officers in an amount not to exceed eleven million dollars (\$11,000,000) if it is justified by the monetary benefits to the state's veterans attributable to the effort of these officers.

(2) It is the intent of the Legislature, after reviewing the department's determination in subdivision (c), to consider an increase in the annual budget for county veteran service officers in an amount not to exceed five million dollars (\$5,000,000), if the monetary benefits to the state's veterans attributable to the assistance of county veteran service officers justify that increase in the budget.

(e) This section shall become operative January 1, 2016.

SEC. 3. Section 974 of the Military and Veterans Code is amended to read:

974. (a) The Department of Veterans Affairs shall annually prepare a report of the activities of county veteran service officers, and may require each county veteran service officer to submit information required to prepare the report. The report shall include, but not be limited to, all of the following:

(1) The number of monthly federal benefit payments obtained on behalf of veterans.

(2) The total value of those monthly benefit payments.

(3) The average value of those monthly benefit payments.

(4) The number of one-time benefit payments obtained, including both single-payment benefits and retroactive payments.

(5) The total value of one-time benefit payments obtained.

(6) The average value of these one-time benefit payments obtained.

(7) *The number of veterans and their dependents who came in contact with a county veterans service officer.*

(8) *The number of veterans and their dependents for whom federal or state claims were filed, including new or increased claims.*

1 (9) *The number of veterans and their dependents who received*
2 *services from the federal government that relieved any financial*
3 *obligation of the state or a county.*

4 (10) *The number of homeless veterans and their dependents*
5 *who were assisted in obtaining federal benefits.*

6 (b) The information required to be included in paragraphs (1)
7 to ~~(6)~~ (10), inclusive, of subdivision (a) shall be set forth for each
8 county together with a statewide total.

9 (c) The department shall transmit a copy of the report to the
10 Department of Finance, the State Department of Health Care
11 Services, the California Veterans Board, and to each Member of
12 the Legislature.